

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

STEPHEN THAXTON and *
PATRICIA THAXTON, *individually* *
and on behalf of all others *
similarly situated, *

Plaintiffs, *

v. *

1:20-CV-00941-ELR

COLLINS ASSET GROUP, LLC, *
et al., *

Defendants. *

O R D E R

On April 13, 2020, the Court stayed this case pending the outcome of a Show Cause Order in a related case, Collins Asset Group, LLC v. Diversified Financing, LLC et al., No. 7:20-CV-00942 (S.D.N.Y. Feb. 4, 2020). [Doc. 35]. As of July 9, 2020, the above-named related case has been transferred to the District Court for the Northern District of Georgia and reassigned to the undersigned. [See Dkt. Nos. 290, 299].¹

¹ The related case is now Collins Asset Group, LLC v. Diversified Financing, LLC et al., No. 1:20-CV-02818-ELR (N.D. GA Jul. 6, 2020) (hereinafter, “Collins Action”). “Dkt. No.” will be used to refer to filings in case number 1:20-CV-02818-ELR. “Doc.” refers to the docket entries in case number 1:20-CV-00941-ELR.

On September 17, 2020, the interpleader plaintiff Collins Asset Group, LLC and several interpleader defendants in the Collins Action filed a “Joint Motion to Stay Interpleader Plaintiff’s Order to Show Cause for Interpleader Relief Pending Settlement.” [See Dkt. No. 348].² In that motion, the parties in the Collins Action indicated that they had reached a settlement in principle that could result in the dismissal of both this case as well as the related Collins Action. [Id.] Thus, the parties requested that the Court stay the Collins Action for forty-five (45) days until they finalize settlement discussions. [Id.] The Court granted the parties’ motion to stay the Collins Action for forty-five (45) days and directed the interpleader plaintiff to file an update as to the finalization of settlement by the end of the forty-five (45) day period. [See Dkt. No. 349].

The forty-five (45) day period has now ended without an update as to the settlement. Therefore, the Court **DIRECTS** the Clerk to **ADMINISTRATIVELY CLOSE** this case.³ The Parties shall file a stipulation of dismissal upon finalization of the settlement documents. If settlement fails, the Parties should promptly move to reopen the case.

² The interpleader defendants that joined in this motion included Plaintiffs Stephen Thaxton and Patricia Thaxton. [See Dkt. No. 348].

³ The Court notes that administrative closure will not prejudice the rights of any party to this litigation. A party need only file a motion to reopen the case if they so choose.

SO ORDERED, this 5th day of November, 2020.

Eleanor L. Ross

Eleanor L. Ross
United States District Judge
Northern District of Georgia